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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. 2:22-cv-08855-JLS-SK

Date: March 16, 2023

Title: Jardine Gougis v. 846 E Valley Blvd, LLC et al

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Present: **HONORABLE JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE**

V.R. Vallery  
Deputy Clerk

N/A  
Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER DISMISSING ACTION**

On March 8, 2023, the Court issued an Order to Show Cause re Dismissal for Lack of Prosecution. (Doc. 14.) Plaintiff timely responded, stating that Plaintiff attempted to have Defendant served in “late December of 2022,” but “recently” found out that the process server had been unable to effect service. (Doc. 15.) Plaintiff further states that she “[r]ecently” found a residential address for Defendant’s agent out-of-state and will “continue to work diligently to serve Defendant.” (*Id.*)

A failure to timely serve a defendant may result in dismissal of that defendant from the action if the plaintiff cannot demonstrate good cause for the failure. Fed. R. Civ. P. 4(m). Here, Plaintiff has not shown good cause; rather it, appears that Plaintiff failed to diligently work to effect service. *See Raiser v. City of Murrieta*, No. 17-01824, 2018 WL 5961301, at \*6 (C.D. Cal. July 13, 2018) (“Although Plaintiff entrusted a registered process server with effectuating service of process, Plaintiff’s belief that service had been properly completed does not rise to the level of ‘excusable neglect’ that constitutes good cause.”); *see also Panliant Fin. Corp. v. ISEE3D, Inc.*, No. 12-01376, 2015 WL 273578, at \*3 (D. Nev. Jan. 16, 2015) (denying motion to extend time to serve where “Plaintiffs have failed to demonstrate they were diligent in serving” the defendant). Because 846 E Valley Blvd, LLC is the only named defendant in the case, the action is DISMISSED WITHOUT PREJUDICE.

Initials of Deputy Clerk: vrv